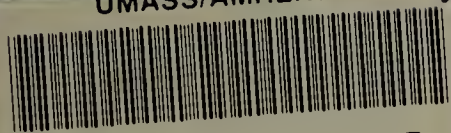


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- PRELIMINARY REPORT -

The Massachusetts Boot Camp Program

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Introduction

The Commonwealth of Massachusetts opened the first of three (3) proposed shock incarceration/boot camp facilities at MCI-Bridgewater in August of 1992. Shock incarceration is an alternative sentencing type of program in which, generally, young or first time offenders are subjected to a short term rigorous program of military-like drill and exercise and some rehabilitative classes in lieu of a longer prison sentence.

Analysis of the Department of Correction's ("DOC") efforts to establish a shock incarceration/boot camp type program cannot begin without a full discussion of the considerations of the boot camps as a corrections alternative by state and county officials. DOC established the Massachusetts boot camp on an expedited basis without the benefit of legislative authorization or guidance. The Administration based their unilateral policy choice on two executive orders. By proceeding without resort to legislative changes and the public hearing process, DOC appears to have denied themselves access to valuable information and experience. While DOC relied upon the training provided by officials from





the county corrections system (it appears that the actual DOC personnel who run the boot camp were trained initially by county Sheriff's personnel) they chose not to rely upon the research and expertise that had been developed at the county level. Moreover, to date, the House Post Audit and Oversight Bureau (the "Bureau") has found little evidence that suggests that DOC personnel made any significant attempts to learn from what other states had experienced with well established shock incarceration/boot camps.

The Bureau's initial examination reveals a process that was quick on implementation and short on planning. This lack of planning has caused problems for the boot camp administration and has led to a significantly underutilized facility.

The deficiencies in this planning process have produced poor results. To date, only fifty-two (52) inmates have graduated from the boot camp since it opened last August. The Bureau believes that a full analysis of the historical background of the boot camp program in Massachusetts reveals some of the reasons for this underutilization.

### Background

In 1989 the Massachusetts Sheriffs' Association began to explore the feasibility of a shock incarceration/rehabilitation program as a limited alternative to traditional incarceration.





A number of other states have implemented similar types of programs, often referred to as boot camps, shock incarceration or special alternative incarceration as a more cost effective way of dealing with youthful offenders. The Sheriffs' Association appeared to be the most appropriate group to study and develop a shock incarceration/rehabilitation program because such programs are most successful when they target youthful, first time offenders who would ordinarily be sentenced to a county correctional facility as opposed to a state correctional facility. These offenders would generally not be sentenced for serious or violent crimes. The Sheriffs' Association studied and toured other states' shock incarceration facilities and reviewed relevant materials. They developed a proposal which they believed could work in Massachusetts and submitted it to the Massachusetts Legislature and the former Administration.

The proposal drafted by the Sheriffs' Association for a Massachusetts shock incarceration/rehabilitation program recommended limiting eligibility to first time male incarcerants between the ages of seventeen (17) and twenty-six (26) with drug and/or alcohol related histories who were sentenced to between four (4) months and two and one-half (2 1/2) years in a Massachusetts House of Correction. Under the Sheriffs' Association proposal, the boot camp term would last for one hundred twenty (120) days and would include enhanced supervision after completion of the boot camp during an extended conditional



release on parole. The proposal also advocated that following successful completion of parole, the offender's criminal record would be altered to reflect a change from the original sentence to that of successful completion of probation.

The Sheriffs' Association, at the direction of the Legislature, (see Massachusetts Sheriffs' Association Memorandum, dated October 3, 1989) examined this issue as part of its effort to relieve prison overcrowding, to reduce recidivism and to reduce prison costs. The hope of both the Sheriffs' Association and the Legislature was that a shorter yet more constructive period of incarceration for first time or youthful offenders eventually would translate into significant savings for the Commonwealth. The research and study of the Sheriffs' Association resulted in proposed legislation which was submitted to the Legislature in 1991.

This proposed legislation was preempted by the issuance of Executive Order No. 316, dated September 24, 1991, which was entitled "Establishing a Joint State and County Advisory Committee Regarding the Establishment of Boot Camp Correctional Facilities and Programs within the Commonwealth." This order was later superseded and revoked by Executive Order No. 349, dated January 27, 1993, of the same name (collectively the "Executive Order").





By these actions, the Administration assumed control over the boot camp concept and the construction of the first boot camp. DOC established a two hundred fifty-six (256) bed boot camp facility on the grounds of MCI-Bridgewater, which cost approximately \$7.5 million dollars to construct.

The Administration through DOC established a set of criteria for eligibility, which the Bureau has some evidence was revised even before the boot camp opened on August 17, 1992. In any event, the revised criteria raised the maximum age of eligibility to the boot camp program from thirty (30) to forty (40) years of age. Copies of the original criteria and the revised criteria are attached as Exhibits A and B. One possible reason for this change of criteria was that an initial screening of qualified and available inmates revealed far fewer potential candidates for the boot camp than for which it was designed. The Bureau examined some prison census documentation that supports the contention that the boot camp could not have been filled to capacity at the time it opened, even if all those who were eligible volunteered.

When the Administration issued its Executive Order, it stated in its press release that "Incidents of crime perpetrated by youthful offenders are on the rise and responding to this alarming trend within the traditional corrections setting will





only serve to create a new generation of career criminals." The Administration indicated that the "boot camp approach" was intended to meet the goal of providing youthful offenders with an opportunity to change their behavior before becoming career inmates. Recent changes in the boot camp eligibility criteria, such as raising the age limit to forty (40) and relaxing other criteria seem inconsistent with that stated goal of giving youthful and/or first time offenders a chance to change their behavior before they become career criminals. Indeed the change of criteria has opened up eligibility for offenders with a whole host of offenses that simply were not contemplated when the boot camp was promoted to state and local officials.

Much of the available documentation on the implementation and success of shock incarceration/boot camp type programs in other states focuses on the necessity that the boot camp program be an attractive alternative to incarceration in a traditional prison setting for first time and/or young inmates. A shock incarceration/boot camp type program initially makes sense to potential participants if they are convinced that their period of confinement will be substantially shortened. Under the current scheme in Massachusetts, as in some other states having similar programs, inmates must volunteer to participate in the program. Screening and selection of potential boot camp candidates takes place in the classification divisions of the county houses of correction after the inmate has been introduced to the prison population and the facility to which they are sentenced.



The experience in other states has indicated that the involvement of the judiciary is a necessary component of the program. Legislative action that allows judges to sentence certain offenders to the boot camp is one possible vehicle to ensure success of the program. By choosing not to avail itself of the option of coordinating legislative changes in the sentencing structure with the opening of the boot camp, DOC appears to have deprived itself of an important tool in securing additional enrollees for the boot camp.

#### Preliminary Findings

As a result of requests submitted to it, the House Post Audit and Oversight Committee (the "Committee") directed the Bureau to conduct a preliminary examination of the boot camp program in Massachusetts. In that connection, the Bureau has reviewed the Administration's Executive Orders, materials provided from the DOC, materials provided from the Division of Capital Planning and Operations (the "DCPO"), and materials provided from the Massachusetts Sheriffs' Association. The Bureau has reviewed documentation and studies available on shock incarceration/boot camp type programs; contacted and interviewed individuals from Departments of Correction in other states who administer similar types of programs, and toured the boot camp facility located at MCI-Bridgewater (the "Boot Camp"). The





Bureau has also interviewed individuals from the classification units of three county houses of correction who are responsible for recommending individuals to the Boot Camp program. The Bureau has also spoken with staff members of the House Committees on Human Services and Elderly Affairs and Criminal Justice.

The Massachusetts Boot Camp at MCI-Bridgewater was constructed to accommodate up to two hundred fifty-six (256) inmates. The DOC provided the Bureau with Boot Camp statistics which are current through March 19, 1993. The Boot Camp began operating on August 17, 1992. The Boot Camp term is for a period of up to sixteen (16) weeks. Projected operating expenses for fiscal year 1993, according to information provided by the DOC, totals \$4,194,300. The Boot Camp is open to inmates between the ages of seventeen (17) and forty (40). One hundred sixty-five (165) inmates have entered the Boot Camp. Only fifty-two (52) inmates have successfully completed the Boot Camp program as of this writing.

Forty-nine (49) inmates have been terminated for legal, disciplinary, medical reasons, or at their own request. There are currently sixty-four (64) inmates enrolled in the program. Assuming that all current enrollees graduate, the cost per graduate for fiscal 1993 is \$36,157.



The Bureau's initial analysis reveals that the Massachusetts Boot Camp appears to be very expensive to operate. Figures obtained from the South Carolina Department of Corrections for example, show that total expenditures for their boot camps operations commencing July, 1990 through March, 1991 indicate total expenditures of \$1,953,071. This cost represents four hundred and seventy-seven (477) completions of both male and female participants. (Female participants in the program an average time spent of one hundred thirty-seven (137) days, which is seventeen (17) days longer than at the Massachusetts Boot Camp. No female participants are currently enrolled in the Massachusetts camp.)

In contrast to South Carolina, assuming all of those currently enrolled in the Massachusetts Boot Camp graduate, the total number of shock incarceration completions will be one hundred sixteen (116). Recognizing that the costs in South Carolina would be expected to be lower for a variety of reasons, it remains questionable why the Massachusetts costs are so high for such a low completion or graduation rate. It should also be noted that these operating figures and costs do not appear to include the debt service on the construction of the facility or the \$300,000 paid to the Town of Bridgewater for its acceptance of the Boot Camp.





The cost per graduate of at least \$36,000 is high. While the cost per graduate may not accurately reflect all costs relating to total enrollees at the Boot Camp i.e. the limited attendance of those who fail or drop out, it is assumed that the failures are carried elsewhere on prison costs as the inmate must be returned to the originating facility or house of correction. With more information, the cost per day could also be calculated. This would more accurately reflect expenditures for unsuccessful participants.

The experiences of other states at least in terms of operating costs and completions appears much more successful. Texas has had a similar boot camp type program in operation for about one year. That boot camp or the "Special Alternative to Incarceration Program" (the "Program") as Texas calls it, is open to inmates between the ages of seventeen (17) and twenty-five (25). The Program has graduated one hundred forty-seven (147) inmates. They have terminated only seven (7) inmates.

The program failure rate for states with available data appeared much lower than the Massachusetts Boot Camp. South Carolina defined failure as anyone who did not complete the program for any reason including medical. From July of 1992 to October 31, 1991 seven hundred and twenty-three (723) participants were admitted; four hundred and seventy-seven





(477) successfully completed the program, and one hundred and seventy-nine (179) were still participating. Sixty-seven (67) or 12.3% of the participants were characterized as program failures. (See Executive Summary An Evaluation of the Implementation of South Carolina Department of Correction Shock Incarceration Program. Page 11, July of 1992.)

If Massachusetts was to measure failure by this method, its failure ratio would be almost 49%.

New York currently has five (5) shock incarceration facilities. They are broken down into four (4) camps and one (1) shock incarceration/reception and screening facility. The program lasts for six (6) months. New York's program has approximately forty-eight (48) to fifty-four (54) inmates per platoon, at a cost per inmate, per day of sixty-nine (\$69.23) dollars and twenty-three cents.

Based on the Bureau's preliminary research, it makes the following preliminary findings:

1. The Administration has failed to utilize the expertise and recommendations of Massachusetts Sheriffs' Association, especially since the Boot Camp opened in August of 1992. Other states, such as Texas, New Jersey and New York have asked for and received the assistance of individuals from



the Massachusetts Sheriffs' Association, yet it appears the DOC has effectively ignored expertise which could be provided by the Sheriffs' Association since the Boot Camp opened. The Bureau questions the status of the Administration's "Joint State and County Advisory Committee Regarding the Establishment of Boot Camp Correctional Facilities and Programs Within the Commonwealth," established by the Administration's Executive Order, which is supposed to consist of "[T]wo sheriffs elected by the Sheriff's Association." Members of the Sheriffs' Association, who were active on this committee prior to the opening of the Boot Camp have not been contacted by the committee since the Boot Camp opened. These individuals were not aware of whether the committee was still meeting, though according to the Administration's Executive Order "[T]he [Advisory] Committee shall meet at least monthly during its initial two years."

2. There are problems with the present classification system for Boot Camp eligibility. The Administration expanded the eligibility of inmates to the Boot Camp program by raising the maximum age of eligibility from thirty (30) to forty (40) years of age. Expanding the criteria for eligibility to the Boot Camp in this way is inconsistent with the stated goals of shock incarceration and the Administration's pledge of "giving these young people an opportunity to change their





behavior before its too late...". This may well be counter productive in the long run. While shock incarceration and boot camp style programs are currently attractive concepts that appeal to a wide variety of constituent groups, the goals of the program must be clearly defined, and eligibility criteria must be focused to meet those goals.

Efforts to maintain the Boot Camps at levels at or near capacity can only be accomplished through well planned, organized programs. Expanding the criteria to include inmates up to age forty (40), allowing for more serious offenses, and including inmates with prior criminal histories, conflicts with the stated goals of the boot camp.

The expanded criteria used at the Massachusetts Boot Camp are much broader than almost all of those utilized in other states with similar types of programs. It could be a serious mistake to allow expanded age and offense criteria to weaken or destroy what otherwise might be a truly beneficial program geared for youthful offenders.

A limited review of other state's shock incarceration programs reveals several significant differences from that of Massachusetts's program. A 1989 study of eleven states had nine (9) out of eleven (11) states utilizing judicial involvement with sentencing and/or assignment to boot camps.



(See U. S. Department of Justice N.I.J. Reports May/June of 1989, no. 214.) According to information compiled by the Georgia Department of Corrections, of twenty-six (26) states surveyed, fifteen (15) states targeted boot camps to offenders under age twenty-six (26). One additional state had a target group that included those between the was ages of seventeen (17) through thirty (30) and another was ages seventeen (17) through thirty-four (34). Only one state reported age criteria that went as high as Massachusetts.

3. Issues relating to an inmate's outstanding warrants and eligibility for parole must be clearly addressed and resolved in Massachusetts' current Boot Camp program.

When an inmate is qualified for participation in the Boot Camp program, he often has outstanding warrants for other offenses. The issue of outstanding warrants need to be addressed. This would require the participation of the District Attorneys' offices. The reason these warrants need to be dealt with in a uniform manner is so that otherwise qualified inmates do not get rejected from the program because of an outstanding warrant, which could be easily resolved. Until these issues are clarified, there is diminished incentive for inmates to volunteer for the Boot Camp program.

4. There is not enough data to support a rush build another boot camp. The Administration should retreat from its





commitment to build another boot camp in Berkshire county until it can be demonstrated that a sufficient population of eligible offenders can be guaranteed. While the goals of relieving overcrowding and reducing recidivism in youthful offenders are top priorities, they can only be achieved from a thoughtful, comprehensive, and inclusive approach that assesses not only the needs of the correctional system, but the realities of prison life. The objectives of this type of program need to be evaluated by all participants in the Commonwealth's criminal justice system.

5. The Bureau found little data which supports the idea that a comprehensive follow-up is being conducted on graduates of the boot camp. The information from other states and Sheriffs' Association seems to indicate that extensive follow-up and monitoring of Boot Camp graduates must be done if the Boot Camp program is to assist in reducing rates of recidivism. The program should not end when the Boot Camper graduates. It must continue through parole and after-care. Otherwise this program is not a significant alternative to the "traditional corrections setting." It is very doubtful cost savings will be achieved under the current Boot Camp without extensive follow-up and monitoring of those who successfully complete the program.





### Preliminary Recommendations

Based on our preliminary findings, the Bureau recommends the following:

1. A complete evaluation of the process which led to the Administration's implementation of the Boot Camp program, via sworn testimony at public hearings and requested or subpoenaed information.
2. A complete evaluation and comparison of Massachusetts' Boot Camp program with similar programs in other states. This analysis will be conducted with assistance from the U.S. Department of Justice.
3. Analysis of legislative actions that will provide alterations in sentencing and other changes.
4. Recidivism rates must be checked carefully to ensure that Boot Camp participants are not returning to prison for reasons which could easily be rectified. A successful shock incarceration program must be based on a comprehensive program that includes both pre and post shock incarceration.



5. The Administration should focus on substantive changes to sentencing. It should seek to include the Legislature in the process and explore legislative changes to the current sentencing structure. The Administration, even in the short-term, should not seek to exclude the Legislature. The Administration's Executive Order stated that "... the [Advisory] Committee should limit its initial recommendations so that they can be implemented within the existing executive authority and without need to resort to significant legislative action." A successful Boot Camp operation needs to incorporate sources of expertise and authority including the legislature, the district attorneys, the judges, the sheriffs, and the parole board.





### MASSACHUSETTS BOOT CAMP FACTS AND FIGURES

- o 7 classes commenced totalling one hundred and sixty-five (165) inmates entering program 8/17/92 - 6/18/93.
- o Fifty-two (52) inmates who have completed the program. Forty-nine (49) dropped out for withdrawal, failure or medical.
- o Thirty-six (26) inmates left program for reasons other than medical. 3
- o Thirteen (13) terminated from program for medical reasons.
- o All but six (6) of the one hundred and sixty-five (165) participants came from county corrections facilities.
- o Sixty-four (64) current boot camp enrollment - latest graduation date 6/18/93.
- o Assuming all of sixty-four (64) current enrollees graduate - approximately \$36,000 per graduate.
- o Operating costs \$4,194,300 - construction cost \$7,500,000.



BOOT CAMP ELIGIBILITY CRITERIA SUMMARY

OLD

EXECUTIVE ORDERS

No. 316

Issued September 24, 1991

Criteria

- o Limited age to thirty (30).
- o No previous incarceration for more than ninety (90) days.
- o No mandatory sentences for controlled substance law violations.
- o No crimes of violence under any section of G.L. c. 265, except 13A. (This excluded murder, manslaughter, and certain types of assault and battery.)



NEW

EXECUTIVE ORDERS

No. 349

Issued January 27, 1993

Criteria

- o Limited to age forty (40).
- o Eligible for release after serving no more than eighteen (18) months.
- o No escapes last three years.
- o No mandatory sentences controlled substance laws.
- o Inmates participation determined not to present an undue risk to physical safety of other persons.





might affect whether the sanction is used as an alternative to longer-term incarceration and thus reduces prison crowding. A summary of the programs in the eleven states is presented in the table below:

process seems to impair attainment of that goal. In both Mississippi and Georgia some officials noted that many persons sentenced to SI would have been on probation in the past and that the program likely was in-

SI is to be used to control prison crowding, a different selection process may be needed to insure that SI targets offenders who would have otherwise been imprisoned.

TABLE 1  
CHARACTERISTICS OF SHOCK INCARCERATION PROGRAMS  
IN THE UNITED STATES

State	Year Program Began	Number of Programs	Number of Participants	Average Number of Days Served	Placement Authority	Voluntary Entry	Voluntary Dropout	Located in Larger Prison	Release Supervision
Alabama	1988	1	53	90	Judge	—	yes	yes	regular
Arizona	1988	1	35	120	Judge	no	no	yes	varies
Florida	1987	1	66	101	Judge	no	yes	yes	moderate
Georgia	1983	2	200	90	Judge	yes	no	yes	varies
Louisiana	1987	1	51	120	Corrections Dept./Judge	yes	yes	yes	intensive
Michigan	1988	1	120	90	Judge	yes	no	no	intensive
Mississippi	1985	1	197	180	Judge	no	yes	yes	regular
New York	1987	2	45	180	Corrections Dept.	yes	yes	no	intensive
Oklahoma	1984	1	150	120	Corrections Dept.	no	no	yes	varies
South Carolina	1987	2	85	90	Judge	yes	yes	yes	varies
Texas	1989	1	200 (capacity)	—	Corrections Dept./Judge	no	no	yes	varies

Source: U. S. Department of Justice, National Institute of Justice, NIJ Reports, May/June 1990, No. 214.

A recent U. S. Department of Justice publication contained the following statements regarding SI programs:

Officials who want to use shock incarceration to reduce prison crowding note that, in several jurisdictions, unrestricted judicial control of the selection

creasing rather than reducing prison populations. Many inmates in those programs had very minor prior records (a few had none at all) and were convicted of relatively minor current crimes. From the viewpoint of judges concerned with deterrence or with enhancing the severity of probation such offenders may have been an entirely appropriate group. But if

This publication further states that giving correctional officials greater influence in selection decisions may be one way to ensure that SI targets prison-bound offenders.





## PROGRAM FAILURES

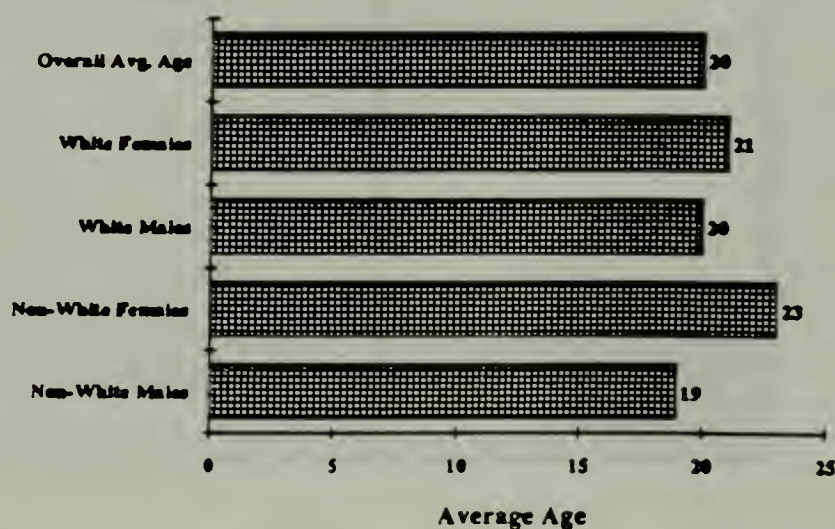
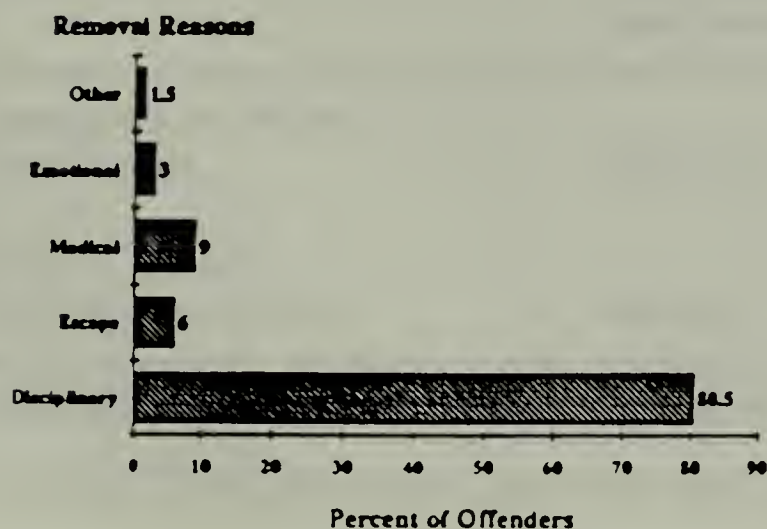
A "failure" is broadly defined as an offender who was admitted to the Shock Incarceration Program but was terminated from the program for any reason, including medical. That is, a failure is an offender who did not successfully complete the program. The program's "failure rate" is defined as the proportion of all offenders who were released from the program who did not successfully complete the program. Offenders who were actively participating in the program on October 31, 1991, were excluded from the calculation of this rate. During the evaluation period, from program inception in July 1990 through October 31, 1991, 723 offenders were admitted to the program, 67 offenders failed to complete the program, 179 offenders were still participating in the program on October 31, 1991, and 477 offenders successfully completed the program. Excluding the 179 offenders participating in the program on October 31, 1991, a total of 544 offenders had been released from the program. The failure rate of the program, therefore, is calculated to be 12.3 percent.

A profile of offenders who failed to complete the Shock Incarceration Program between program inception and October 31, 1991, is presented below.

The profile of a typical inmate who failed to complete the Shock Incarceration Program between June 1990, and October 31, 1991, is a non-white male, age 19, who was most likely convicted of larceny or drug offenses and who received a youthful offender sentence (indeterminate 1 to 6 years). The most likely reason for his failure in the program was failure to adjust to the rules and regulations of the program that resulted in disciplinary action and removal from the program.

- Of the 67 offenders who did not complete the program between program inception and October 31, 1991, over 86 percent (86.5%) were removed as a result of disciplinary action or because of an escape. Using these figures, a more narrowly-defined failure rate can be calculated to be 10.7 percent.

- The average age at the time of admission to the SCDC of the offenders who failed to complete the program was 20. The average age of non-white males was 19, while the average age of non-white females was 23. The average age of white males and white females was 20 and 21, respectively.







**TABLE 2**  
**CALCULATIONS USED IN DETERMINING COST AVOIDANCE SAVINGS**  
**FOR THE FIRST 477 SHOCK INCARCERATION COMPLETIONS**

	Males	Females	Total
<b>Without Program:</b>			
Average time to serve in SCDC:	375 days	333 days	372 days
Total number of inmate days to serve:	155,340	20,970	176,310
Average cost per inmate day:	\$34.11	\$34.11	
Total cost:	\$5,298,647.40 (155,340 x \$34.11)	\$715,286.70 (20,970 x \$34.11)	\$6,013,934.10
<b>With Program:</b>			
Average time served in SCDC:	118 days	137 days	121 days
Total number of inmate days served:	49,090	8,648	57,738
Average cost per inmate day:	\$28.68	\$63.04	
Total cost:	\$1,407,901.20 (49,090 x \$28.68)	\$545,169.92 (8,648 x \$63.04)	\$1,953,071.12
Average number of days saved:	257 days	196 days	248 days
Total number of inmate days saved:	106,250	12,322	118,572
<b>Total cost avoidance:</b>	<b>\$3,890,746.20</b>	<b>\$170,116.78</b>	<b>\$4,060,862.98</b>

## FINDINGS AND RECOMMENDATIONS

One of the primary goals of South Carolina's Shock Incarceration Program is the reduction of demand for bedspace as a way of addressing prison crowding issues in the State. For this program to be successful in this effort, it requires:

1. A sufficient number of eligible inmates who are recommended for the program;
2. A large enough number of offenders completing the program;
3. A true reduction in the length of time offenders spend in prison; and,
4. Offender participants who are drawn from those who would normally be incarcerated rather than those who would normally be sentenced to probation (or no net widening).

The South Carolina's Shock Incarceration Program has fulfilled all of these requirements:

- During the first sixteen months of the Shock Incarceration Program, 8,542 offenders were screened for possible placement into the program. Of this number, 777 offenders met all of the eligibility criteria and 723 were accepted into the program.
- Of the 723 offenders who were accepted into the program, 91 percent were offenders who had already been sentenced to prison. Only 9 percent were sentenced directly to the program by the courts. However, these 9 percent were evaluated, prior to sentencing, and recommended by the Shock Incarceration Screening Committee for placement into the program. The analysis indicates that the Shock Incarceration Program is being used exclusively as an alternative to traditional incarceration and does not "widen the net of social control."
- Of the 723 offenders who were accepted into the program, 477 offenders successfully completed the program, 67 failed the program, and 179 were active in the program at the end of the evaluation period. The failure rate was determined to be only 12.3 percent.
- Of the 477 offenders who successfully completed the program, their length of incarceration was *substantially* reduced. On average, the Shock Incarceration Program *reduced* these offenders' length of incarceration by 248 days. If the program had not existed, these offenders would have been incarcerated, on average, for 372 days. Instead, these offenders were incarcerated, on average, for 121 days.



## 15 APPENDIX A: SPECIAL ALTERNATIVE INCARCERATION: A SELECTED STATE REVIEW<sup>1</sup>

### 15.1 The State of Alabama

Shock incarceration in Alabama started in September 1988. The incarceration period is 90 days, but it may be extended up to 180. There are plans to increase the current capacity of 128 beds to 180. The law creating SAI does not limit program participation based upon gender; female offenders, however, have not been assigned to the program. The community phase is handled by a separate probation agency which can request that the trial court place special conditions on the community phase of probation.

Alabama's statutory eligibility criteria (*Codes of Alabama, Section 15-18-8, revised April 1988*) require that offenders:

- have a maximum sentence of 15 years, with no offenders sentenced to life without parole;
- have never been incarcerated in any state or federal prison;
- not be convicted of an exclusionary offense – first degree murder, rape, kidnap, sodomy, arson, and robbery – enticing a child for immoral purposes;
- be of sufficiently good physical health to participate in a rigorous exercise and work program; and
- not be diagnosed mentally retarded to such a degree as to be unable to understand the counseling program, and follow rules of the program.

Alabama does not have an age criterion in its enabling law. The participants average nearly 21 years of age with a range from 15 to 34 years. Black offenders account for 55 percent of the admissions. Average grade level completed is 10.2 years.

The strength of this program is seen as the combination of treatment with "boot camp" with the principal weakness being the lack of bedspace and the lack of an aftercare component.

### 15.2 The State of Arkansas

In the spring of 1990, Arkansas opened its program with a capacity of 60 and with Corrections staff selecting participants who must meet these criteria.

- be a first offender;
- be sentenced for non-violent offense (focus is on drug offenders);
- be sentenced to serve 10 years or less; and
- be physically and mentally able to participate in the program.

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<sup>1</sup> Some of the data in this section were gathered in a September 1990 telephone survey conducted by Linda Lees, GDC's Planning Section, to update the original information that the author had gathered. This section was written by Elaine Loyd, GDC's Evaluation and Statistics Section, to update the material that the author had written earlier. Twenty-six states and Orleans Parish, Louisiana participated in the telephone survey.



The prison phase of the program is 105 days with a "strong" substance abuse component as well as an educational component. Arkansas has not assessed SAI in terms of strengths and weaknesses.

### 15.3 The State of Arizona

The 120-day SAI program opened in October, 1988, with capacity for 150 offenders. Arizona is unique in that "shock" is a condition of intensive probation supervision, which is judicially ordered.

Program strengths are the "holistic" approach to substance abuse treatment and well-trained staff. Staff see the program as underfunded, and, as a result, understaffed. There is also difficulty in monitoring aftercare since supervision is done by a separate probation agency. The probation supervision's structure, however, is generally based on the conditions recommended by the program's institutional staff.

The eligibility criteria state that the offender must:

- be between 18 and 25 years of age;
- not be convicted for a class one felony offense (murder); and
- not be sentenced previously to an adult prison.

### 15.4 The State of Colorado

Colorado's program is in the design and planning phase with startup scheduled for 1991 with 100 for males and 20 for females. The operational design envisions participants sentenced to regular prison. Program eligibility and admission will be determined by diagnostic facility staff. The cases of program graduates will be reviewed by the sentencing judge to determine the cases' future.

The proposed eligibility criteria selects offenders who are:

- first-time;
- non-violent felons;
- under age 26;
- sentenced to serve three years or less; and
- mentally and physically able to participate in the program.

### 15.5 The State of Florida

Florida's Shock Incarceration program, called "Boot Camp", opened in October, 1987, with a projected capacity for 100 offenders. Boot Camp is "90 to 120 days of vigorous daily routines that virtually eliminate idle time." Department of Corrections staff may identify potential Boot Campers and make recommendation to the sentencing court, or use its legislated authority to place offenders in Boot Camp.

Participants must meet the requirements of Florida's Youthful Offender Act; thus, they must:





- be male;
- be under 24 years of age;
- not have a previous incarceration in a state or federal facility;
- be sentenced to no more than ten years;
- not be sentenced for capital or life felony; and
- have no medical and/or psychological problems which would negate full program participation.

Boot Campers are rated weekly on drill performance and substance abuse training. Successful Boot Camp "graduates" will average 245 days under correction supervision in county jail, state prisons and community correctional centers in Florida. The average represents "20 percent of the sentence."

Florida officials feel that the discipline instilled in the men is a major program strength, while the lack of an education component is a weakness. (See Florida Department of Corrections, *Research Report: Boot Camp Evaluation* March, 1989.)

## 15.6 The State of Georgia

The Georgia SAI concept was based, in part, on the Ohio Department of Corrections' model (see Vitto, 1978). A committee of GDC staff developed the detailed operational plans (Lloyd, 1981.) The Georgia program was designed to send the offender to prison for 90 days as a condition of probation at the beginning of the sentence or following a revocation, however, since SAI prison beds are not always available, this backlog—a program weakness—prevents SAI intake from occurring judiciously (Flowers, 1986). Georgia SAI differs from the Ohio program in that it does not include "judicial reconsideration." (Allen, *et al.*, 1985).

Offenders must meet the following criteria to be eligible for SAI:

- be male;
- be age 17 to 25 years;
- have no prior Georgia incarcerations, as an adult;
- have a felony sentence, and
- be able to perform the physical conditioning drills and work required.

Public and Corrections' acceptance of the program and instilling discipline in the offenders are reported as major program strengths by Corrections staff. They feel that having no aftercare other than regular probation supervision is a weakness.

## 15.7 The State of Idaho

Shock Probation, enacted in 1970, gave judges control of felony cases for the first 60 days of incarceration. During this period, correctional staff evaluate the offender's potential and make a specific



recommendation for shock probation. The incarceration period, normally 120 days, may be amended to 180 days if staff recommends, and the judge concurs. All felons except murderers and rapists are eligible. Idaho's "shock probation" program is widely used (Potter, 1977).

## **15.8 The State of Indiana**

Indiana passed its "shock probation" law in 1972, excluding violent and repeat offenders. This program was enacted under judicial re-consideration which permits the trial judge to reduce or suspend the original sentence within the first 180 days of the sentence. A hearing on the matter requires the defendant be present and the prosecuting attorney be notified. (Potter, 1977).

## **15.9 The State of Kansas**

Kansas, like Colorado, is designing its SAI program and is planning a 120-day to 180-day program. Kansas, however, is not calling its program a "boot camp." The operational emphasis – similar to the old Civilian Conservation Corp – will be to challenge offenders in three areas: community service, education and self-help, and physical conditioning. With implementation scheduled for March 1991, the current design capacity is 100 beds – 72 for males and 28 for females. The facility will be a stand alone unit, to be managed by a private sector group.

In Kansas program all participants will be first sentenced to regular prison. Program eligibility and admission will be determined primarily by the diagnostic facility staff. The judiciary also can sentence offenders to the program and will review cases of program graduates to determine the case's future.

The eligibility criteria planned are that the offender must:

- be a first-timer or second-timer;
- be convicted for a non-violent felony crime;
- be between the age of 18 and 25;
- be sentenced to serve three years or less; and
- be mentally and physically able to participate in the program.

## **15.10 The State of Kentucky**

The "shock probation" program was enacted in 1972 as a function of judicial re-consideration with a prison duration between 30 and 130 days (Faine and Bohlander, 1976)(Kentucky Revised Statute, Section 439.265). The motion to suspend a prison sentence could be brought by the defendant, his attorney, or the trial judge. Shock probation is under the state's Administrative Office of the Court (letter from William G. Clark, dated December 17, 1987). The Kentucky sentencing guidelines for shock probation produce a believable alternative to incarceration.







## 15.11 The State of Louisiana

Louisiana's three-phase "SAI" program, *Intensive Motivational Program of Alternative Correctional Treatment (IMPACT)*, is "between 90 and 180 days of intensive, highly regimented incarceration." IMPACT is a co-ed program with separate residential units for its eight to ten female offenders. All IMPACT offenders complete a minimum of six months of intensive parole supervision following their incarceration.

Eligibility criteria for Georgia and Louisiana have a basic similarity, but IMPACT has a sentence length limit of seven years and admits offenders through age 39. In Louisiana the placement decision is administratively made based upon recommendations of the sentencing court, the Division of Probation and Parole and institutional staff. IMPACT offenders undergo a specific diagnostic program and can voluntarily leave the program. There is emphasis on discipline development through mastery of basic military fundamentals as well as therapy or treatment.

The law creating IMPACT was changed in 1989 to allow second-time convicted felony offenders to be admitted to the program if the first conviction resulted in a probated sentence. Some previously excluded offenses—driving while intoxicated and sex crime—are now accepted in the program on a case-by-case basis.

IMPACT has what it calls "suitability" criteria which combine the legal mandates and the practical considerations. For instance, no overt homosexuals are admitted; offenders must be resident of the state (or have a definitive place to live in it) and have no record of assaultive behavior or assaultive escapes during the past five years.

A major program strength is the regimented discipline process which focuses on getting offenders to internalize the long-term program of being law-abiding citizens. The long approval process during which offenders opt out of the program is a weakness of IMPACT. Another is the alienation of the judiciary when their recommendation (or suggestions) are not accepted. Finally, there is a backlog, thus, offenders have a long wait in local jails before admission to prison and IMPACT.

## 15.12 Orleans Parish (County), Louisiana

In January, 1987, Orleans Parish initiated the nation's first county-level "boot camp" called *About Face* — a military term meaning to turn around. Offenders in this program wear bright orange flight suits for daily activities, and khaki uniforms with military-styled boots for dress occasions — public events. This "boot camp" is operated by the parish (county) sheriff and is housed at the Orleans Parish prison complex in a separate facility.

The capacity of *About Face* is 90 male offenders. Program duration is 120 days. During the incarceration phase, *About Face* focuses on offender rehabilitation via components for physical training, education, counseling, work, substance abuse programming, and community service.

Offenders may be assigned by the courts or selected by the sheriff's office staff. The program is designed for offenders

- who do *not* meet Louisiana's IMPACT program eligibility;
- who volunteer; and
- who are sentenced for a felony offense.



The major program strength is acceptance by the public and by the criminal justice community. In response to the lack of a follow-up component, the Parish Sheriff "would like to develop an AA-type program to help the men stay crime-free" upon release.

### **15.13 The State of Maryland**

Maryland's "boot camp," originally designed for 300 men, was scaled to 100 at implementation in August, 1990. Every six weeks during the diagnostic process participants are selected in groups of 50 (platoons). The initial six-month incarceration portion of the sentence is followed by intensive parole supervision.

The criteria for selection include men who must:

- have no previous incarceration in Maryland Department of Corrections;
- be less than 26 years old;
- not be sentenced for a violent crime;
- be sentenced to no less than 9 months nor more than 5 years;
- be initially classified minimum security or pre-release;
- have no history of escape, elopement, or abscond;
- have no outstanding detainers;
- be a volunteer for the program; and
- be fit to participate medically, physically, and psychologically.

### **15.14 The State of Michigan**

Michigan's 90-day SAI program, called "boot camp," is patterned on the Georgia model. Michigan adds programming in GED preparation and substance abuse counseling. Offenders in Michigan meet eligibility criteria similar to Georgia's. Michigan requires a felony incarceration sentence of 12 or more months in prison or a probation violation with a new conviction. Offenders convicted of criminal sex offenses, child pornography, and arson are ineligible (Michigan Criminal Laws Annotated, section 771.1, 3b).

### **15.15 The State of Mississippi**

Started in April, 1985, Mississippi's SAI program, called RID (Regimented Inmate Discipline) has capacity for 250 participants. Assignment to RID is made by the courts. The prison phase is between 30 and 150 days, with balance of the sentence served on regular probation.

RID does not have restrictions based upon age or sex. A special configuration of RID for female offenders does not have the military drill and marching orientation.

The other criteria for selection state that the participants must:

- not be convicted of a violent crime;





- not be sentenced to life in prison; and
- not have been incarcerated previously.

RID's strengths include the competent staff assigned to the program and the comprehensive approach to treatment, beyond the marching and drilling. Like most SAI programs, a major weakness is the absence of a specific follow-up component other than regular probation.

### 15.16 The State of Missouri

The Missouri model which specifies up to 120 days of incarceration is much like Georgia's program, but not a "boot camp." This program was originally designed for offenders without a prior adult conviction whose age was under 25 years. It now targets offenders between 17 and 21 who are technical probation violators.

The primary target was offenders with serious juvenile records, possible detention, scanty employment history, incomplete high school, whose offense was not considered a present or future danger to the community. Offenders, facing either probation or parole revocation of the initial sentence, were also eligible (Van Sclver and Bradley, 1987).

A boot camp program, authorized for operation pending FY92 funding, will also target offenders between 17 and 21, not sentenced for a violent crime, and having no prior incarceration.

### 15.17 The State of Nevada

At this writing, Nevada was planning a shock program called RID (Regimented Inmate Discipline) to begin either in late 1990 or early 1991. It will house up to 42 offenders. The prison phase will be up to 150 days. The treatment components being built into RID are life skills, substance abuse and general counseling, and education.

The courts will sentence offenders to RID. The Probation Department in Nevada will evaluate the offender for 30 days and make recommendations to the courts for placement – either regular prison or RID. At the end of the prison phase, the Probation Department will recommend either regular prison or probation.

The proposed admissions criteria will select participants who must:

- be at least 18 years of age.
- not be sentenced for a violent crime;
- have no prior incarceration, as an adult, longer than 60 days; and
- have probatable conviction offense.

### 15.18 The State of New Hampshire

In March, 1990, New Hampshire began its 120-day SAI program which is divided into four 30-day





phases. It is housed in a major prison facility and has a total bed capacity of 96. Intake is capable of handling 24 offenders per admission group without regard for gender. All SAI graduates go either onto intensive parole or probation, depending upon their status.

Admission to the program comes on judicial reconsideration with Corrections evaluating candidate and making the placement recommendation. Criteria for SAI state that the offender must:

- be 18 to 30 years old;
- have no prior adult incarceration in New Hampshire; and
- have a felony conviction, excluding sex, violent, and some drug crimes.

SAI in New Hampshire does behavior modification and character development training in the evenings with daytime programming emphasizing basic military training, calisthenics, and hard work.

This SAI program restricts visitation and telephone access. Visitation is not allowed during the first 9 days; then, weekly visits from immediate family members are permitted for one hour per week. No telephone contacts are allowed during the first six weeks, then one 10-minute call per week is allowed.

The major program strength identified is its strong character development component. However, no major program weaknesses have been identified.

## 15.19 The State of New York

Beginning in 1987, but tracing its "roots back to 1888," New York's 1500-bed SAI program is the nation's largest. With offenders being administratively assigned, this 180-day program focuses on the therapeutic community concept. New York operates one 500-bed and four 250-bed programs. One of the 250-bed units is co-ed, with an average female population of 20.

Eligibility criteria are defined as "an offender sentenced to an indeterminate sentence, having not reached 26 years of age, who would become eligible for parole release within three years, between ages 18 and 26 at crime commission." Special judicial approval is required for admissions of offenders older than 24 years. The program primarily focuses on non-violent crimes, but conviction for a host of felony crimes and a previous escape or abscond precludes eligibility for "boot camp."

## 15.20 The State of North Carolina

Begun in October, 1989, North Carolina's 90-day boot camp program, Intensive Motivational Program of Alternative Correctional Treatment (IMPACT) is a prison-based program with a capacity for 90 men. As of January 1991, judges will have the authority to sentence offenders as a condition of probation.

Recruited during the diagnostic process, eligible offenders must meet the following criteria, which are subject to change in January, 1991:

- be age 17 to 24 years;
- have no pending charges or detainers;
- not be sentenced for, nor implicated in, violent crime (generally murder, rape, sexual assaults, robbery and armed robbery, and arson); and



- have sentence of 10 years or less for committed youthful offenders, 3 years or less for felons, or 12 months or more for misdemeanants.

IMPACT has a major offender training component called "Ropes," a "physically challenging two-part series of tasks designed to get offenders working together as a group and building an individual's self confidence." The period of incarceration is followed by "high risk" parole for the balance of the sentence.

## 15.21 The State of Ohio

Established in 1964, Ohio's "shock probation" is accessed by judicial reconsideration which may be initiated by defense motion (Vitto, 1984). After serving 90 to 120 days of a felony prison sentence, the offender may apply for judicial review, and, if approved, be released to probation supervision (Allen, *et al.*, 1985).

## 15.22 The State of Oklahoma

SAI in Oklahoma, called RID (Regimented Inmate Discipline), focuses on behavior modification accomplished through counseling and educational programming. Offenders admitted to RID are selected after incarceration. The participant has to be less than 22 years of age at admission and must complete the program before his/her 22nd birthday (Crabtree and Douglas, 1985; Flowers, 1986).

## 15.23 The State of South Carolina

South Carolina's 90-day "shock probation" program, recently renamed "shock incarceration" began in July, 1987. Facilities include one operational 96-bed unit and one planned 96-bed unit for males and, for females, one 24-bed unit. Admission to South Carolina's "shock probation" program is by court order, based in part on the score the offender receives on a six-item "criminal history assessment."

To be eligible, an offender must meet these criteria:

- be age 17 to 28 years at sentencing;
- be convicted of a non-violent crime;
- have a sentence not exceeding eight years;
- be eligible for parole within two years;
- pass a physical examination, and
- sign a form agreeing to abide by the program rules and regulations.

Regular parole supervision follows graduation from the program. Stated program strengths are "physical training and discipline, hard work and discipline, and education and discipline, while a weakness is the difficulty in finding qualified staff."







## 15.24 The State of Tennessee

Tennessee's boot camp program, started in December, 1989, has capacity for 120 men. During the 90-to-120 day stay, a "strong emphasis" is placed on education and counseling (substance abuse). Offenders who successfully complete boot camp are released to parole supervision.

Originally a voluntary program, boot camp is now specified in the offender's sentence. To be eligible, the participant must:

- be a first time offender;
- be sentenced to less than six years;
- not be a sex offender; and
- be between 18 and 20 years of age.

## 15.25 The State of Texas

Texas' 90-day boot camp, less than a year old, has capacity for 400 men in two, 200-bed facilities. In the criteria outlined, the participant must:

- be a first offender, never incarcerated;
- be age 17 to 26;
- be convicted of a non-violent offense; and
- be physically and mentally able to complete the program.

## 15.26 The State (Commonwealth) of Virginia

Virginia's "shock probation" program is to begin in January, 1991 in a renovated correctional camp. Judges will receive pre-sentence investigation reports and will have the option of sentencing the offender to prison for a program suitability evaluation of up to 60 days.

The institutional phase is being designed to include components for academic education, vocational assessment, life skills training, and substance abuse education. The traditional boot camp focus of military drilling, physical conditioning training, and hard work are also planned. The community phase is envisioned as one year of intensive probation supervision. The Virginia model, based upon South Carolina's concept, has these eligibility criteria. The offender must:

- be age 18 to 21 years;
- be a first time offender;
- be sentenced for a non-violent crime; and
- be physically and mentally able to participate in programmed activities.



## 15.27 The State of Wyoming

In March, 1990, Wyoming implemented its 90-day boot camp program with a capacity for 20 men. Offenders are sentenced to regular prison, with a judicial recommendation in the sentence for boot camp. Program graduates return to court for judicial reconsideration. Staff of Wyoming's Honor Conservation Camp, where the boot camp program is housed, recommend to the court the type of community supervision needed.

Except for the program's smaller size (20 beds), Wyoming's boot camp resembles those of other states. To be eligible, the offender must meet the following criteria:

- be under 25 years of age;
- be sentenced for a non-violent crime;
- not be sentenced to life or death
- not be previously incarcerated in an adult facility; and
- be physically and mentally able to participate in program activities.





## 16 APPENDIX B: ANALYSIS OF UNADJUSTED RTP RATES

### 16.1 The Difference Between Adjusted and Unadjusted Recidivism Rates

The recidivism rates presented in this section are all *actual*, or *unadjusted*, rates—the actual percentages at which offenders returned or went to prison. These unadjusted rates do not take into account the fact that the groups being compared differ in their composition along important recidivism-related variables, such as need scores, risk scores, age, race, crime-type, or urban-rural background.

Such differences may result in some ambiguity in the interpretation of differences in recidivism rates. For example, if one group had higher-than-average risk scores, members of that group would *naturally* be expected to have higher-than-average recidivism, apart from any differences due to the particular correctional program they experienced. If that group indeed had higher-than-average recidivism, should it be attributed to their higher risk scores, or to their correctional program?

Section 11 in the main body of this evaluation attempts to resolve that ambiguity by calculating *adjusted* recidivism rates, which statistically take into account differences among groups in need scores, risk scores, age, race, crime-type, and urban-rural background. That section, based on exactly the same subjects as this Appendix, uses multivariate statistical techniques to ensure that the groups are comparable, despite the differences in their composition.

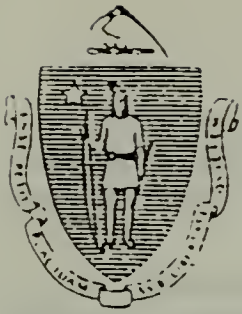
The unadjusted rates presented in this Appendix are very similar to the adjusted rates presented in Section 11, differing at most by only a few percentage points. The overall *pattern* of recidivism among the groups is virtually identical, and would lead the reader to the same conclusions. We include this Appendix primarily for the use of those readers who would be interested in a sub-population analysis not attempted in Section 11.

TABLE B-1  
STATISTICAL SIGNIFICANCE OF GROUP DIFFERENCES IN UNADJUSTED RECIDIVISM RATES

Tracking Period	Chi Square	Degrees of Freedom	Probability
6-Months	27.77	7	.0019
12-Months	48.20	7	<.0001
24-Months	119.22	7	<.0001
36-Months	133.91	7	<.0001
48-Months	142.48	7	<.0001
60-Months	74.37	7	<.0001

Two types of recidivism measurements were utilized during this evaluation. One is the standard **return-to-prison (RTP)**. The other is **probation-to-prison (PTP)**. RTP measures the period "at risk" between a prison release and a prison reentry. PTP measures the period "at risk" between when probation begins and prison entry occurs. The mathematical calculations and principles of measurement are statistically similar for both procedures. RTP rates like PTP rates reveal less than all of the criminal justice activity of an offender.





THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

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WILLIAM F. WELD  
GOVERNOR

ARGEO PAUL CELLUCCI  
LIEUTENANT GOVERNOR

BY HIS EXCELLENCY

WILLIAM F. WELD  
GOVERNOR

EXECUTIVE ORDER NO. 349

(SUPERSEDING AND REVOKING EXECUTIVE ORDER NO. 316)

ESTABLISHING A JOINT STATE AND COUNTY  
ADVISORY COMMITTEE REGARDING THE  
ESTABLISHMENT OF BOOT CAMP CORRECTIONAL  
FACILITIES AND PROGRAMS WITHIN THE COMMONWEALTH

WHEREAS, the Commonwealth of Massachusetts, by and through its Department of Correction, and the Sheriffs of the 14 Massachusetts' counties share a common interest in the establishment of effective correctional facilities and programs for youthful offenders which further the goals of minimizing their recidivism and maximizing their rehabilitation and reintegration into the community;

WHEREAS, the Department of Correction and the Sheriffs of Massachusetts agree that the successful establishment, maintenance and operation of Discipline and Rehabilitation Institutes ("Institutes"), also known as Boot Camps, with Regimented Inmate Discipline Programs ("Programs") will further these important goals without subjecting the citizens of the Commonwealth to the increased risk of criminality; and

WHEREAS, the successful establishment of such Institutes and the development of such programs, will require the close cooperation, resources, and shared expertise of the Sheriffs, the Department of Correction, and other agencies within the Executive Branch.

1993  
JUL 2





NOW, THEREFORE, I, William F. Weld, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

Section 1. A joint State and County Advisory Committee on the Establishment of Discipline and Rehabilitation Institutes within the Commonwealth is hereby established. It shall be the responsibility of the Committee to make recommendations to the Governor on the following matters:

- a. The number, siting (in concert with the Division of Capital Planning and Operations) and operation of boot camp facilities within the Commonwealth;
- b. The proper distribution of operational and program responsibilities between the sheriffs and the Department of Correction;
- c. The appropriate elements of a Regimented Inmate Discipline Program to be utilized at such facilities; and
- d. Criteria for inmate classification and participation in such facilities and programs, an equitable selection process, and appropriate program incentives.

Section 2. It shall also be the responsibility of the Advisory Committee to oversee the establishment of boot camp facilities and the implementation of Regimented Discipline Programs. In this regard the Committee shall prepare and submit to the Governor an annual report which:

- a. Sets forth the status of all such facilities and programs in operation, under construction or under consideration;
- b. Identifies and analyzes the per inmate cost and the successes and the failures of the facilities and programs during the year;
- c. Identifies and describes programs and experiences in other jurisdictions which are appropriate models for further study by the Advisory Committee;
- d. Makes recommendations for improvements to current Massachusetts programs and facilities, including expansion; and
- e. Examines and analyzes the recidivism rate for graduates of the Program.



Section 3. The initial composition of the Advisory Committee shall be as follows:

- a. The Secretary of Public Safety who shall serve as chair of the Committee;
- b. Two sheriffs elected by the Sheriff's Association, every two years, one of whom shall serve as co-chair of the Committee;
- c. The Chairman of the Parole Board or his designee from the Parole Board;
- d. The Commissioner of Corrections and an additional designee from the Department of Correction whose responsibilities include boot camp operations or development;
- e. Two additional members appointed by the Governor from a list of qualified individuals prepared by the other members of the Committee. Such additional members shall serve for a two year term.

Section 4. Recommendations of the Committee shall be those receiving the endorsement of a majority of the Committee. Minority Committee reports or recommendations may accompany any recommendations or reports made by the full Committee.

Section 5. In carrying out its responsibilities, the Committee is to be guided by the following principles and considerations:

a. Participation and Classification

The facilities and programs shall be made available through a classification process agreed to by the Advisory Committee, which makes limited categories of state and county inmates eligible who: are under the age of 40; have volunteered for participation in the program; are medically and psychologically fit to participate in the program; are eligible for release under current law after serving no more than 18 months of their sentence; to not have any escape(s) from a secure perimeter or any type of escape(s) within the past three years; are not serving mandatory sentences for violations of the controlled substance laws; and whose participation has been determined not to present an undue risk to the physical safety of other persons.





b. Nature of the Program

The Program shall provide for a period of incarceration at a boot camp facility of not less than 90 days and shall at a minimum include an intensive regimen of work, exercise, military-type discipline, basic education and substance abuse treatment. The Program should also include a post boot camp component in order to minimize recidivism and maximize reintegration and supervision.

c. Operation

The Committee is encouraged to develop alternative operational models - including models structured as primarily managed and run with Department of Correction resources, and those primarily managed and run with the resources of the Sheriffs' Departments. Further, the Committee is encouraged and directed to actively pursue in cooperation with the Division of Capital Planning and Operations, the siting of and funding for at least two boot camp facilities within the Commonwealth during the next two years.

d. Existing Laws and Regulations

In order to promote the timely operation of boot camp facilities and Regimented Discipline Programs on a trial or pilot basis, the Committee should limit its initial recommendations so that they can be implemented within existing executive authority and without need to resort to significant legislative action. However, the Committee is also encouraged to recommend to the Governor legislative action which will ensure the long-term success of the facilities and their programs.

Section 6. It is the Governor's intention that this Advisory Committee act as the focal point for the development, improvement and expansion of boot camp facilities and Regimented Discipline Programs in the Commonwealth. It is further the intention of the Governor to exercise his authority and the authority of the Executive Branch over matters within the purview of the Advisory Committee consistently with the recommendations of that Committee, and not to proceed with an expansion of such facilities or programs without first seeking and considering its advice.



Section 7. The Committee shall meet at least monthly during its initial two years, at a time and place to be set by the Chair. The Committee shall file an initial report as to its work with the Governor, on or before January 15, 1992 and at least annually thereafter.

Given at the Executive Chamber in Boston this 27<sup>th</sup> day of January in the year of our Lord one thousand nine hundred and ninety-three.

*William F. Weld*

William F. Weld, Governor  
Commonwealth of Massachusetts

*Michael Joseph Connolly*

Michael Joseph Connolly  
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS







THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

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MAR 2 1992

WILLIAM F. WELD  
GOVERNOR

STATE HOUSE

EXECUTIVE ORDER NO. 316

ESTABLISHING A JOINT STATE AND COUNTY  
ADVISORY COMMITTEE REGARDING THE  
ESTABLISHMENT OF BOOT CAMP CORRECTIONAL  
FACILITIES AND PROGRAMS WITHIN THE COMMONWEALTH

WHEREAS, the Commonwealth of Massachusetts, by and through its Department of Correction, and the Sheriffs of the 14 Massachusetts' counties share a common interest in the establishment of effective correctional facilities and programs for youthful offenders which further the goals of minimizing their recidivism and maximizing their rehabilitation and reintegration into the community;

WHEREAS, the Department of Correction and the Sheriffs of Massachusetts agree that the successful establishment, maintenance and operation of Discipline and Rehabilitation Institutes ("Institutes"), also known as Boot Camps, with Regimented Inmate Discipline Programs ("Programs") will further these important goals without subjecting the citizens of the Commonwealth to the increased risk of criminality; and

WHEREAS, the successful establishment of such Institutes and the development of such programs, will require the close cooperation, resources, and shared expertise of the Sheriffs, the Department of Correction, and other agencies within the Executive Branch;



NOW, THEREFORE, I, William F. Weld, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

Section 1. A joint State and County Advisory Committee on the Establishment of Discipline and Rehabilitation Institutes within the Commonwealth is hereby established. It shall be the responsibility of the Committee to make recommendations to the Governor on the following matters:

- a. The number, siting and operation of boot camp facilities within the Commonwealth;
- b. The proper distribution of operational and program responsibilities between the sheriffs and the Department of Correction;
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- d. Criteria for inmate classification and participation in such facilities and programs, an equitable selection process, and appropriate program incentives.

Section 2. It shall also be the responsibility of the Advisory Committee to oversee the establishment of boot camp facilities, the implementation of Regimented Discipline Programs and the evaluation of such facilities and programs. In this regard the Committee shall prepare and submit to the Governor an annual report which:

- a. Sets forth the status of all such facilities and programs in operation, under construction or under consideration;
- b. Identifies and analyzes the per inmate cost and the successes and the failures of the facilities and programs during the year;
- c. Identifies and describes programs and experiences in other jurisdictions which are appropriate models for further study by the Advisory Committee;
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- a. The Secretary of Public Safety who shall serve as chair of the Committee;
- b. Three sheriffs elected by the Sheriff's Association, every two years, one of whom shall serve as co-chair of the Committee;
- c. The Chairman of the Parole Board or his designee from the Parole Board;
- d. The Commissioner of Corrections and an additional designee from the Department of Correction whose responsibilities include boot camp operations or development;
- e. The Commissioner of the Division of Capital and Planning Operations or his designee; and
- f. Such other members possessing other expertise as the Advisory Committee may from time to time recommend to the Governor and as the Governor may thereupon determine to appoint.

Section 4. Recommendations of the Committee shall be those receiving the endorsement of a majority of the Committee. Minority Committee reports or recommendations may accompany any recommendations or reports made by the full Committee.

Section 5. In carrying out its responsibilities, the Committee is to be guided by the following principles and considerations:

a. Participation and Classification

The facilities and programs should be made available through a classification process agreed to by the Advisory Committee, which makes limited categories of state and county inmates eligible who are: under the age of 30; have not been previously incarcerated for more than 90 days in a state, county or federal adult correctional facility; would be eligible for release under current law after serving no more than 18 months of their sentence; and do not have a history of violent criminal activity. In no case shall offenders be permitted to participate if they are serving mandatory sentences for violations of the controlled substance laws or are serving sentences for crimes of violence against the person under any section of chapter 265 of the General Laws, except Section 13A.



b. Nature of the Program

The Program shall provide for a period of incarceration at a boot camp facility of not less than 90 days and shall at a minimum include an intensive regimen of work, exercise, military-type discipline, basic education and substance abuse treatment. The Program should also include a post boot camp component in order to minimize recidivism and maximize reintegration and supervision.

c. Operation

The Committee is encouraged to develop alternative operational models - including models structured as primarily managed and run with Department of Correction resources, those primarily managed and run with the resources of the Sheriffs' Departments and those run jointly by both departments. Further, the Committee is encouraged and directed to actively pursue in cooperation with the Division of Capital Planning and Operations, the siting of and funding for at least two boot camp facilities within the Commonwealth during the next two years.

d. Existing Laws and Regulations

In order to promote the timely operation of boot camp facilities and Regimented Discipline Programs on a trial or pilot basis, the Committee should limit its initial recommendations so that they can be implemented within existing executive authority and without need to resort to significant legislative action. However, the Committee is also encouraged to recommend to the Governor legislative action which will ensure the long-term success and expansion of the facilities and their programs.

Section 6. It is the Governor's intention that this Advisory Committee act as the focal point for the development, improvement and expansion of boot camp facilities and Regimented Discipline Programs in the Commonwealth. It is further the intention of the Governor to exercise his authority and the authority of the Executive Branch over matters within the purview of the Advisory Committee consistently with the recommendations of that Committee, and not to proceed with an expansion of such facilities or programs without first seeking and considering its advice.





Section 7. The Committee shall meet at least monthly during its initial year, at a time and place to be set by the Chair. The Committee shall file an initial report as to its work with the Governor, on or before January 15, 1992 and at least annually thereafter.

Given at the Executive Chamber  
in Boston this 24th day of  
September in the year of our  
Lord one thousand nine hundred  
and ninety-one.

*W. F. Weld*

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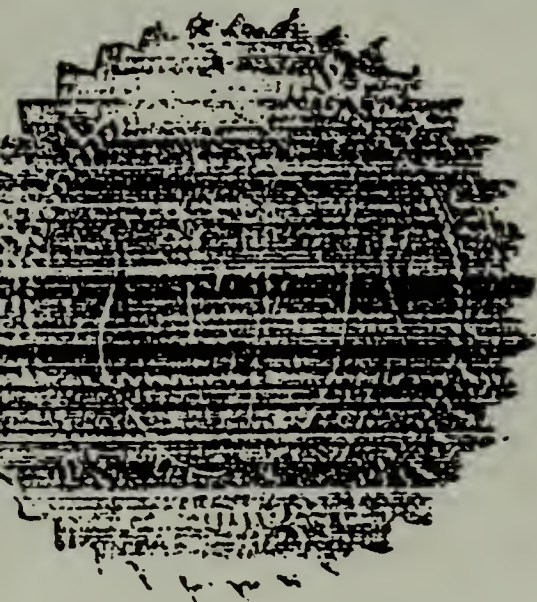
William F. Weld, Governor  
Commonwealth of Massachusetts

*Michael Joseph Connolly*

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Michael Joseph Connolly  
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS



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